

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**EMMITT DAVIS, ET AL.,**

**Plaintiffs**

**v.**

**No. 4:04-cv-267-CJB-EMB**

**GENERAL MOTORS ACCEPTANCE  
CORPORATION, ET AL.,**

**Defendants**

**CONSOLIDATED WITH**

**JESSIE ADAMS, JR., ET AL.,**

**Plaintiffs**

**v.**

**No. 4:04-cv-297-WAP-EMB**

**GENERAL MOTORS ACCEPTANCE  
CORPORATION, ET AL.,**

**Defendants**

**ORDER**

Presently before the Court is Hallmark Ltd.'s motion for reconsideration of this Court's June 9, 2005 Order consolidating the above entitled actions. Without the necessity of a response from the remaining parties to this action, the Court finds the instant motion is not well taken and should be denied. The Court has duly considered Hallmark Ltd.'s arguments and finds the Court did not err in its prior ruling. These cases have been properly consolidated under FED.R.CIV.P. 42, as they clearly involve common issues of law and at least some common issues of fact. This is especially true since plaintiffs appear to be asserting a type of pattern and practice of racial discrimination against GMAC and its local dealers. Defendant's concern about improper joinder of individual plaintiffs can best be dealt with by way of a motion for severance under Rule 21, rather than by opposition to the consolidation order.

**THEREFORE, IT IS ORDERED** that the instant motion for reconsideration is  
**DENIED.**

**THIS** 24th day of June, 2005.

/s/ Eugene M. Bogen  
**U. S. MAGISTRATE JUDGE**